

**Stanhope Land Use Board  
July 11, 2016  
Regular Meeting  
Minutes**

**CALL MEETING TO ORDER:**

Chairman Maguire called the meeting to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE:**

Chairman Maguire invited all those present to stand in a salute to the colors.

**STATEMENT:**

Adequate notice for this meeting has been provided according to the Open Public Meetings Act, Assembly Bill #1030. Notice for this Meeting was forwarded to the New Jersey Herald and Daily Record on January 12, 2016 and was placed on the municipal bulletin board.

In the event the Board has not addressed all the items on its agenda by 11:00 p.m., and it is of the opinion that it cannot complete the agenda in a reasonable period, the Board may exercise its option to continue this meeting at an agreed time and place, within ten (10) days of this meeting.

At this time, please turn off all cell phones.

**ROLL CALL:**

Nicholas Bielanowski - present  
James Benson - present  
Michael Depew - present  
Rosemarie Maio - present

Thomas Pershouse - absent  
John Rogalo - present  
Joseph Torelli - absent  
Paula Zeliff-Murphy - present  
John Maguire - present

Others present: Board Attorney Clifford Gibbons, Board Engineer Eric Keller and Board Secretary Ellen Horak

**MINUTES**

**June 13, 2016 Regular Meeting & Closed Session** – On motion by Ms. Zeliff-Murphy, seconded by Mayor Maio, the Minutes of the June 13, 2016 meeting and closed session were approved on unanimous voice vote.

**CORRESPONDENCE**

06-13-16 Stanhope DPW - Bruzzese Site Plan Application, Blk 11207, Lot 11  
06-29-16 Mayor and Council – Resolution Accepting Master Plan Re-Examination

On motion by Ms. Zeliff-Murphy, seconded by Mr. Bielanowski and carried by unanimous voice vote, the Correspondence List was accepted and placed on file.

**OPEN TO THE PUBLIC FOR NON-AGENDA ITEMS:**

Chairman Maguire opened the meeting to the public for non-agenda items. Seeing no one from the public wishing to speak, Chairman Maguire closed the public portion of the meeting.

NEW HEARING:

**16-02, Vincenzo Bruzzese**

Block 11207, Lot 11 – Site Plan Application

Deemed Complete: 05/09/16

45 days: 06/23/16 (extension granted)

(Ms. Zelif-Murphy stepped down from the dais.)

Dennis McConnell from the law firm McConnell, Lenard & Campbell came forward on behalf of the applicant. Mr. McConnell stated he has been communicating with the Board Engineer on the application and a question arose as to the type of application before the Board. A preliminary site plan application was granted in 2005 and is still valid under the Permit Extension Act. The Board Engineer raised the question that since they are changing office use on the second floor to residential use does that trigger an amended site plan. Mr. McConnell stated case law indicates since they are reducing the size and is now a less intensive use, it should be treated as a final site plan. The change from office to residential is less intensive because the parking is less. Mr. McConnell stated this application should go forward as a final site plan. Board Attorney Gibbons agreed, noting because the intended substituted use is less intense the application can move forward as a final site plan. Board Engineer Keller stated the retail and office use would require 25 parking spaces and residential use would require 20 parking spaces. Mayor Maio asked if the preliminary approval was for one commercial unit downstairs and office on the second floor. Board Engineer Keller responded the architectural plans provided from the previous file only had elevation, not floor design and the site plan made no delineation in the difference in the resolution. Mayor Maio stated the previous approval was for one office. The Board reviewed the drawings showing tenant #1 and tenant #2. Ms. Maio noted there are two tenants being shown now, but the preliminary plans approved in 2005 and then extended in 2008 showed one tenant. Board Engineer Keller stated parking will be the same whether there is one tenant or two tenants. After reviewing the preliminary site plan from 2005, the Board agreed to move forward with this application as a final site plan. Mr. McConnell said he reviewed the June 3, 2016 report of the Board Engineer and has been in contact with him to discuss the issues. Mr. McConnell made the following comments in response to the June 3, 2016 report. Sheet 1 – Cover Sheet and Key Map #1 applicant will correct Notes 3 and 4 of the General Notes to indicate there is public sewer and water. #2 the project requires an impervious coverage variance and it should be indicated in Note 11 List of Variances. Mr. McConnell said this had preliminary approval with all variances granted in 2005. Board Engineer Keller said that although already approved he asked that it be indicated on the plans. #3 the applicant will revise the parking calculations to indicate 20 parking spaces not 25. #4 the applicant will address Item 28 of the checklist with a written description for each variance sought. #5 the applicant will provide a closure calculation on the plans. Mayor Maio noted the second floor does not extend out as far as the first floor. Mr. McConnell acknowledged the second floor façade is smaller than the first floor. The parking requirements for the apartments does not change. The only relevant square footage is the area on the first floor. The applicant will have his architect recalculate the square footage on the second floor. #6 the applicant will try to use the existing water and sewer hook-up. If they are not able to, they will comply with the Board Engineer's recommendation. This will be noted on the plans, which will be specific that it will be excavated and examined to make sure the water line is a sufficient size. #7 Mr. McConnell will provide a copy of the title search and will advise the owner of Lot 10 that the driveway is not available for his use. #8 the applicant will comply with the Board Engineer's request. #9 the width of the driveway as addressed during the preliminary hearing and the driveway and parking were approved. The Board Engineer asked that parking be limited to employees and residential use. Mr. McConnell agreed to post signage indicating "Employee and Resident Only Parking." #10 the layout of the parking lot was also addressed during the

preliminary and approved. Board Engineer Keller concurred and added that limiting parking to employees and residents will make the layout less of a concern. #11 the applicant will comply with the request and conform with MUTCD requirements. #12 this was addressed during the preliminary and the Board Engineer concurred. Board Engineer Keller asked that the curb radii be labelled to which Mr. McConnell agreed to address. #13 there is a question on whether or not this is needed. If determined they cannot use the existing sanitary lateral they will comply with the Board Engineer's recommendation. #14, if needed the applicant will comply with the Board Engineer's recommendation. Board Attorney Gibbons suggested that these items be made a condition of any approval that may be granted. #15 if they can hook-up to the existing water and sewer there will be no need to disturb the sidewalk. Board Engineer Keller stated if the sidewalk needs to be removed, it is to be done from joint to joint. #16 if not needed, it will not be shown on the plans but applicant agreed that if the Board Engineer determines pavement trench detail is needed, it will be added to the plans. Board Engineer Keller recommended this be included as a condition of approval. #17 the concern with insufficient lighting will be addressed and the plans will be revised accordingly. Board Engineer Keller stated they must make sure that the entire parking area is lighted because it is now a residential use and more likely to be used in the evening hours. The plans show that the last 4 parking spaces do not have ½ foot of illumination which is the minimum requirement. Board Engineer Keller suggested this be made a condition of any approval granted. #18 the applicant will provide the requested spot shot in the handicapped parking area and spot grades along the driveway and driveway intersection with Main Street. #19 the applicant will comply with Board Engineer's request to regrade the concrete walk at the rear of the building and address the grading around the northern inlet from the ridge line. Access into the building will be noted. #20 the plans will be revised to show the existing wall. #21 the landscape plan approved during the preliminary hearing will be used, but the applicant will make any modifications required. There was discussion about the planting of evergreens and damage that may be done to the 2 foot evergreen shrubby by vehicles and snow plowing. The applicant will maintain the plantings and replace any plantings that are damaged for any reason. Board Engineer Keller suggested this be made a condition of approval. #22 it will not be known if this will be needed until they submit the revised lighting plan, but if needed, they will amend the sequence of construction to include curb construction as per Item F, "Install light footings and conduit." #23 stormwater calculations were provided during the preliminary hearing to which Board Engineer Keller concurred. No new calculations are necessary. #24, #25 and #26 – Architectural Plans - the applicant's architect will address each of these items, being the clearance to each dormer roof over the rear entries, the sign details and the total area of all signs on the structure. Board Engineer Keller said they must also address the area of the second floor. Board Attorney Gibbons noted there are a number of items that are somewhat conditional and there have been many comments of "we will do if needed." They must make sure that if it needs to be done, it will be done. Board Attorney Gibbons added that as much as can be put on the drawings is better. Board Engineer Keller noted there are a number of items in the original resolution that should continue. Board Attorney Gibbons stated any and all conditions of the previous resolution will continue to be complied with and will be a condition of this approval.

Chairman Maguire opened the meeting to the public for comments or questions on this application. Seeing no one from the public wishing to speak, Chairman Maguire closed the public portion of the meeting.

On motion by Mayor Maio, seconded by Mr. Rogalo and carried by the following unanimous roll call vote, the Board approved the final site plan application of Vincenzo Bruzzese for Block 11207, Lot 1 subject to the conditions set forth on the record and conditions suggested by the Board Engineer and the Board Attorney during the hearing process.

AFFIRMATIVE: Mr. Bielanowski, Mr. Benson, Mr. Depew, Mayor Maio, Mr. Rogalo, Chairman Maguire  
OPPOSED: None  
ABSTENSIONS: None

(Ms. Zelif-Murphy returned to the dais.)

BILLS:

	<b>Miscellaneous</b>	
06/13/16	Gramco Business Communications re:	
	recording system maintenance contract	\$487.50

On motion by Mr. Bielanowski, seconded by Mr. Benson, the aforesaid bills were approved on the following unanimous roll call vote:

AFFIRMATIVE: Mr. Bielanowski, Mr. Benson, Mr. Depew, Mayor Maio, Mr. Rogalo, Ms. Zelif-Murphy, Chairman Maguire  
OPPOSED: None  
ABSTENSIONS: None

ADJOURNMENT:

On motion by Mr. Rogalo, seconded by Ms. Zelif-Murphy, it was the consensus of the Board to adjourn the meeting at 7:50 P.M.

Respectfully submitted,

  
Ellen Horak, Board Secretary